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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, ) CR. NO. S-04-079 LKK  
12 Plaintiff, )  
13 ) STIPULATION; ORDER  
14 MARCUS EDWARD MOORE, )  
15 Defendants. )

16       Defendant Marcus Edward Moore, through Randall G. Knox,  
17      Attorney At Law, and the United States of America, through  
18      Assistant U.S. Attorney Kenneth J. Melikian, agree to vacate the  
19      status conference scheduled for September 20, 2005. The parties  
20      further stipulate that a status conference be placed on the  
21      court's October 4, 2005, calendar.

22 The parties have been continuing their negotiations in this  
23 case, and are attempting to reach a package disposition with this  
24 case and a similar case against the defendant for which he has  
25 been indicted in the Northern District of California. Both  
26 parties have been in contact with the Assistant U.S. Attorney in  
27 the Northern District in an effort to reach a package disposition,  
28 but more work still needs to be done to reach that goal. We

1 should know by October 4<sup>th</sup> whether a package disposition can be  
2 reached.

For these reasons, the parties request that the status conference in this case be continued to October 4, 2005. The parties further agree that time should be excluded through October 4, 2005, from computation under the Speedy Trial Act pursuant to local code T4 (18 U.S.C. § 3161(h)(8)(B)(iv)) in order to allow defense counsel to prepare his case.

9 DATED: September 16, 2005 Respectfully submitted,

McGREGOR W. SCOTT  
United States Attorney

/s/ Kenneth J. Melikian

By  
KENNETH J. MELIKIAN  
Assistant U.S. Attorney

DATED: September 16, 2005

/s/ Kenneth J. Melikian  
RANDALL G. KNOX  
Attorney for Defendant  
(Signed by Kenneth J. Melikian  
per telephonic authorization by  
Randall G. Knox)

21 IT IS SO ORDERED.

23 | DATED: September 19, 2005

/s/ Lawrence K. Karlton  
HONORABLE LAWRENCE K. KARLTON  
U.S. District Court Judge

1                   CERTIFICATE OF SERVICE BY MAIL

2       The undersigned hereby certifies that she is an employee in the  
3       Office of the United States Attorney for the Eastern District of  
4       California and is a person of such age and discretion to be  
5       competent to serve papers; that on SEPTEMBER 16, 2005, she served  
6       a copy of **STIPULATION AND ORDER** by placing said copy in a postpaid  
7       envelope addressed to the person(s) hereinafter named, at the  
8       place(s) and address(es) stated below, which is/are the last known  
9       address(es), and by depositing said envelope and its contents in  
10      the United States Mail at Sacramento, California.

11      Addressee(s):

12      Randall Gary Knox  
13      Law Office of Randall Knox  
14      870 Market Street  
15      Suite 1152  
16      San Francisco, CA 94102

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18                   MICHELE RAMIREZ

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